IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2158 OF 2006

Tukaram Vasudeo Chavan ..... Applicant

Versus

The State of Maharashtra & Ors. ..... Respondents

Mr. V.M. Thorat, Advocate for the Applicant.

CORAM : R.S. MOHITE, J.

DATE : 26TH JUNE, 2006

P.C.

. This is an application for grant of regular bail. The applicant is shown as an accused in C.R. No. 22/2006 registered by Mohol Police Station for offence under Section 302 of Indian Penal Code. The applicant has himself gone to the Police Station and admitted that he killed his wife, Manda. In the statement given to Police he has mentioned that his wife has love affair with one Lahu Gund. On the date of incident i.e. on 17/01/2006 he was sleeping with his wife at night and his wife left his house at 12.00 in the night and returned after two hours. He asked

her as to where she had gone, but she did not reply, so he committed the offence. Police have also recorded statement of Lahu Gund who admits to have a love affair with deceased-Manda. The offence in this case may ultimately not be under Section 302 IPC, as the case may fall within the exception relating to grave and sudden provocation. In the circumstances, I am inclined to grant him bail. It is therefore directed that pending his trial in pursuance of C.R. No. 22/2006 registered with Mohol Police Station, the applicant may be released on bail in the sum of Rs.15,000/- with one surety of like amount subject to the condition that he shall report to the Investigating Officer once a month on every first Monday till disposal of the case. Application is disposed off.

(R.S. MOHITE J.)